

NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

05-7189

CATHLEEN E. GOLDEN,

Claimant-Appellant,

v.

R. JAMES NICHOLSON, Secretary of Veterans Affairs,

Respondent-Appellee.

John F. Cameron, of Montgomery, Alabama, argued for claimant-appellant.

Michael S. Dufault, Trial Attorney, Commercial Litigation Branch, Civil Division, United States Department of Justice, of Washington, DC, argued for respondent-appellee. With him on the brief were Peter D. Keisler, Assistant Attorney General, David M. Cohen, Director, and Donald E. Kinner, Assistant Director. Of counsel on the brief were David R. McLenachen, Deputy Assistant General Counsel, and Y. Ken Lee, Attorney, United States Department of Veterans Affairs, of Washington, DC.

Appealed from: United States Court of Appeals for Veterans Claims

Judge Robert N. Davis

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DECIDED: April 20, 2007

Before NEWMAN, MAYER, and LINN, Circuit Judges.

PER CURIAM.

Cathleen E. Golden appeals the final judgment of the United States Court of Appeals for Veterans Claims, which dismissed her appeal from the Board of Veterans' Appeals for lack of jurisdiction based on the failure to timely file a notice of appeal. Golden v. Principi, No. 04-1385 (Vet. App. Mar. 16, 2005). In so doing, the court rejected her equitable tolling argument. We vacate the court's judgment and remand the case for reconsideration in light of Barrett v. Nicholson, 466 F.3d 1038 (Fed. Cir. 2006).